

11/18/2009

Atty. Docket No.: 4231/2054

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Liew, C.C.	Examiner: Juliet C. Switzer
Serial No.: 10/268,730	
Filed: Oct. 9, 2002	Group Art Unit: 1634
Titled: Method for the Detection of Gene Transcripts in Blood and Uses Thereof	Conf. No.: 5174

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office using **Express Mail Label No. EV753959646US** on this date, December 18, 2006, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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***Supplemental Declaration under U.S.C. 1.132 to the Declaration dated February 28, 2006***

I, Choong-Chin (C.C.) Liew, a citizen of 81 Millersgrove Drive, Toronto, Ontario, Canada M2R 3S1, declare the following:

1. I am the inventor noted on the instant application.
2. I have read and reviewed the 112 first paragraph enablement rejection applied in the Office Action dated August 28, 2006, which takes into account the Declaration sworn in this matter dated February 28, 2006 (the "Declaration of February 2006") which was filed to address similar issues raised by the examiner regarding the enablement of the invention in the Office Action dated January 4, 2006.
3. I understand the Examiner continues to apply the enablement rejection on the basis that, in her view, the Declaration of February 2006 is not commensurate in scope with the claimed subject matter. More specifically I understand that that Examiner is concerned that there is no evidence provided that the comparison of one individual's level of gene expression as against another individual's level of gene expression will be sufficient to conclude that a difference in expression is "indicative of disease".